

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

JONATHAN MUNT, GLORIA J. HARMON,
and SANDRA M. WINGERS, individually,
and as Representatives of a Class of
Participants and Beneficiaries of the
WEC Energy Group Employee Retirement
Savings Plan,

Case No. 2:22-cv-00555-JPS

Plaintiffs,

Hon. J P Stadtmueller

v.

WEC ENERGY GROUP, INC., BOARD
OF DIRECTORS OF WEC ENERGY GROUP,
INC., CURT S. CULVER, DANNY L.
CUNNINGHAM, WILLIAM M. FARROW III,
CRISTY GARCIA-THOMAS, MARIA C.
GREEN, GALE E. KLAPPA, THOMAS K. LANE,
SCOTT J. LAUBER, ULICE PAYNE JR., MARY
ELLEN STANEK, and GLEN E. TOLLOCK,

Defendants.

**DEFENDANTS' MOTION FOR 14-DAY EXTENSION OF TIME TO ANSWER
OR OTHERWISE RESPOND TO PLAINTIFFS' AMENDED COMPLAINT**

Defendants WEC Energy Group, Inc., its Board of Directors, Curt Culver, Danny Cunningham, William Farrow III, Cristy Garcia-Thomas, Maria Green, Gale Klappa, Thomas Lane, Scott Lauber, Ulice Payne Jr., Mary Ellen Stanek, and Glen Tellock (collectively, "Defendants"), by and through their undersigned counsel, hereby request a 14-day extension of time to answer or otherwise response to Plaintiffs' Amended Complaint. In support of their motion, Defendants state as follows:

1. Plaintiffs Jonathan Munt, Gloria Harom, and Sandra Wingers (collectively, “Plaintiffs”) filed their 74-page Complaint on May 10, 2022. *See* ECF No. 1.

2. On May 20, 2022, Defendants Board of Directors of WEC Energy Group, Inc., Curt Culver, Danny Cunningham, William Farrow III, Cristy Garcia-Thomas, Maria Green, Gale Klappa, Thomas Lane, Scott Lauber, Ulice Payne Jr., Mary Ellen Stanek, and Glen Tellock waived service. *See* ECF No. 5.

3. On May 23, 2022, Defendant WEC Energy Group, Inc. waived service. *See* ECF No. 7.

4. Following analysis of the Complaint’s allegations and the collection and review of certain documents related to the Complaint’s allegations, on June 20, 2022, counsel for Defendants sent counsel for Plaintiffs a letter regarding Defendants’ concern regarding the mistaken factual allegations in Plaintiffs’ Complaint and provided counsel for Plaintiffs with a number of documents reflecting those mistakes. Counsel for Defendants also provided counsel for Plaintiffs with, among other things, a draft Proposed Protective Order and 1,324 pages of documents concerning information related to Plaintiffs’ allegations.

5. On June 28, 2022, Plaintiffs filed an 81-page Amended Complaint, *see* ECF No. 8, and counsel for Plaintiffs wrote to counsel for Defendants stating, among other things, that they agreed to the proposed Protective Order.

6. Defendants’ deadline to answer or otherwise response to the Amended Complaint is July 12, 2022. *See* Fed. R. Civ. Pr. 15(a)(3).

7. On June 30, 2022, counsel for Defendants emailed counsel for Plaintiffs to determine whether Plaintiffs would oppose Defendants’ request for a 14-day extension of time due

to previously scheduled vacations in connection with the Fourth of July holiday and to allow for additional time to analyze the new allegations in the Amended Complaint.

8. The same day, counsel for Plaintiff stated Plaintiffs will oppose Defendants' request for a 14-day extension stating: "We will oppose your request for extension, as it appears to us that you and your client are seeking to delay the timely prosecution of this case, contrary to Judge Stadtmueller's Pretrial Procedures."

9. Despite Plaintiffs' opposition, Defendants respectfully request a short 14-day extension due to previously scheduled vacations in connection with the Fourth of July holiday. Specifically, Defendants' internal point of contact will be out of the office from July 1 through July 8; and Defendants' lead counsel, Nancy Ross, will also be out of the office from July 1 through July 6. A 14-day extension is requested to allow Defendants sufficient time to analyze and respond to Plaintiffs' allegations in the Amended Complaint.

10. This is Defendants' first request for an extension of time. The request is made in good faith, will not prejudice any party, and is not for the purpose of delay. Defendants have read and understand this Court's Pretrial Procedures Order, *see* ECF No. 6, and their request for a 14-day extension of time will not impact any other current deadlines and will not adversely impact complying with Federal Rule of Civil Procedure 1.

WHEREFORE, Defendants respectfully request a 14-day extension of time, until July 26, 2022, to answer or otherwise respond to Plaintiffs' Amended Complaint.

Dated: July 1, 2022

Respectfully submitted,

/s/ Megan E. Troy

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Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on July 1, 2022, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Megan E. Troy
Megan E. Troy